

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION (DAYTON)**

DAVID HOWARD,	:	Case No. 3:22-cv-00163
	:	
Plaintiff,	:	District Judge Michael J. Newman
	:	Magistrate Judge Caroline H. Gentry
vs.	:	
	:	
HOME DEPOT USA, INC.,	:	
	:	
Defendant.	:	

ORDER GRANTING SUBSTITUTION OF PLAINTIFF

Pursuant to Fed. R. Civ. P. 25(a), on June 29, 2023, Counsel for Plaintiff notified the Court and Defendant that David Howard was deceased and moved to substitute the administratrix of Plaintiff's estate, Mindy Florence. (Doc. No. 8.) Defendant has not responded and the deadline for filing a response has now passed.

Accordingly, Plaintiff's Motion for Substitution of Proper Party (Doc. No. 8) is **GRANTED** as unopposed. The Clerk is **DIRECTED** to update the docket to reflect this substitution.

IT IS SO ORDERED.

/s/ Caroline H. Gentry
Caroline H. Gentry
United States Magistrate Judge

Notice of Procedure on Objections

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections within **FOURTEEN** days after being served with this Order. Pursuant to Fed. R. Civ. P. 6(d), this period is extended to **SEVENTEEN** days if this Order is being served by one of the methods of service listed in Fed. R. Civ. P. 5(b)(2)(C), (D), or (F). Such objections shall specify the portions of the Order objected to and shall be accompanied by a memorandum of law in support of the objections. If the Order is based in whole or in part upon matters occurring of record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections within **FOURTEEN** days after being served with a copy thereof.

Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).